

Exhibit 18

From: Steve Sherry <steve@mccauleylawgroup.com>
Sent: Wednesday, August 28, 2024 5:41 PM
To: Brachman, Paul D; Michael, William; Gallo, Kenneth A
Cc: Richard McCaulley; Josh Van Hoven
Subject: SIS v Intuitive / Proposal for Pretrial Exchanges

Rick McCaulley requested that I transmit to you his response to your August 21 email regarding pretrial exchanges, see below.

Paul, Ken, Michael,

Please find below our thoughts on the possible schedule for exchanging and ultimately filing, the materials contemplated by the Court's pretrial scheduling order. Our response to your proposal is set forth below. I am available to discuss this Friday, August 30.

Regarding your proposal for "Supplemental Damages Disclosures", SIS's position is that service of a "full-blown" updated expert report for Richard Bero is unnecessary. SIS will, however, provide updated calculations from Mr. Bero to account for the additional time included in the "but-for" damages period. This will result only in a change in numbers that will be reflected in supplemental schedules to his report. Richard Bero will not be offering any new or different substantive opinions, data, nor will he be presenting any new or different methodologies at trial.

Further, SIS does not agree that it is necessary for Mr. Bero to submit to a further deposition since nothing has changed from his previously submitted expert reports except the extension of the time period covered and included in Mr. Bero's "but-for" antitrust damages numbers.

Items to be filed October 28, 2024

- Brief description of claims and defenses (joint)
 - PARTIES TO EXCHANGE DRAFTS – Oct. 7
 - PARTIES TO MEET AND CONFER – Oct. 14
 - SIS TO SEND PROPOSED FINAL JOINT SECTION TO ISI – Oct. 23
 - ISI CONFIRMS AGREEMENT ON JOINT SECTION – Oct. 24 (noon)
- Statement of all relief sought (joint)
 - PARTIES TO EXCHANGE DRAFTS – Oct. 7.
 - PARTIES TO MEET AND CONFER – Oct. 14
 - ISI TO SEND PROPOSED FINAL JOINT SECTION TO SIS – Oct. 23
 - SIS CONFIRMS AGREEMENT ON JOINT SECTION – Oct. 24 (noon)
- Stipulated facts
 - PARTIES TO EXCHANGE DRAFTS – Oct. 7.
 - PARTIES TO MEET AND CONFER – Oct. 14

- PARTIES TO EXCHANGE PROPOSED FINAL STIPULATED FACTS – Oct. 22
- PARTIES CONFIRM WHAT FACTS THEY CAN STIPULATE TO BASED ON PROPOSED FINAL DRAFTS EXCHANGED – Oct. 24 (noon)
- Exhibit list and any objections
 - SIS EXHIBITS WILL BE ASSIGNED NUMBERS 1-300 AND ISI EXHIBITS WILL BE NUMBERED STARTING WITH 301– Sept. 23
 - Parties to exchange objections to exhibits – Oct. 14
 - ISI to send de-duped and numbered list to SIS – Oct. 18
 - Parties to meet and confer – Oct. 22
 - Parties to exchange final positions on objections – Oct. 24
 - ISI to send final consolidated list to SIS – Oct. 25 (noon)
- Each party’s witness list for its case-in-chief (including a short description of testimony and time estimate)
 - Parties to exchange – Oct. 4
 - SIS DOES NOT AGREE TO ANY FURTHER DEPOSITIONS
- Proposed jury instructions
 - SIS to provide complete draft proposed instructions to ISI – Sept. 20
 - ISI to provide objections and counter-proposals to SIS – October 4
 - SIS to provide objections to ISI’s counter-proposals – Oct. 14
 - Parties to meet and confer – Oct. 18
 - Parties to exchange final positions – Oct. 23 (noon)
 - SIS to provide proposed final version for filing – Oct. 25 (noon)
- Memorandum of law in support of disputed jury instructions
 - N/A (each party to file its own brief)
- Voir dire questions (joint, supplemented by each side’s additions as necessary)
 - PARTIES TO EXCHANGE DRAFTS – Oct. 7
 - PARTIES TO MEET AND CONFER – Oct. 14
 - SIS TO SEND PROPOSED FINAL VOIR DIRE QUESTIONS TO ISI – Oct. 21
 - ISI CONFIRMS AGREEMENT ON FINAL VOIR DIRE QUESTIONS
 - – Oct. 24 (noon)
- Trial briefs on controlling issues of law
 - N/A (each party to file its own brief)
- Proposed verdict forms
 - SIS to send draft to ISI – Oct. 7
 - ISI to send draft to SIS – Oct. 14
 - Parties to meet and confer – Oct. 21
 - SIS to send proposed final to ISI – Oct. 24 (noon)
 - ISI to send final to SIS – Oct. 25 (noon)
- Simplified statement of the case (joint)
 - PARTIES TO EXCHANGE DRAFTS – Oct. 7
 - PARTIES TO MEET AND CONFER – Oct. 14
 - ISI TO SEND PROPOSED FINAL STATEMENT TO SIS – Oct. 23
 - SIS CONFIRMS AGREEMENT ON FINAL STATEMENT – Oct. 24 (noon)
- List of people involved in the case
 - Parties to exchange – Oct. 25 (noon)

Stipulations regarding evidence/procedures for the conduct of trial

PARTIES TO MEET AND CONFER BETWEEN OCT 14-21

Items to be delivered to Court October 29, 2024 by Noon PT

- Two courtesy copies of all items filed on Oct. 28

Items to be delivered to Court November 12, 2024 by Noon PT

- Two courtesy copies of motions in limine

Information to be exchanged December 23, 2024

PRELIMINARY ORDER OF PRESENTATION OF LIVE WITNESSES

Items to be filed December 30, 2024

- Deposition designations and objections thereto
 - o Parties to exchange designations – Nov. 15
 - o Parties to exchange objections to designations and counter-designations – Dec. 11
 - o Parties to exchange objections to counters and rebuttal designations – Dec. 20
 - o Parties to exchange objections to rebuttal designations – Dec. 27
- One set of all trial exhibits, with stickers

Best,
Rick McCaulley

Stephen Sherry

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